IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 24230 of 2007(H)

PETITIONER:

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1. K.KRISHNAN NAIR, (RTD. ASST. EDITOR),
   UNIVERISTY OF KERALA,
   VASANTHA VIHAR, PATTOM, THIRUVANANTHAPURAM.

2. E.S.GOVINDAN NAMBOODIRI, (RTD.ASST.
   EDITOR, UNIVERSITY OF KERALA, PLOT NO.300,
   BAPUJI NAGAR, PONGUMMOODU, THIRUVANANTHAPURAM.

BY ADV. SRI.A.RAJASEKHARAN NAIR

RESPONDENTS:

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1. THE UNIVERSITY OF KERALA REPRESENTED
   BY THE REGISTRAR, UNIVERSITY OF KERALA,
   PALAYAM, THIRUVANANTHAPURAM

2. THE VICE-CHANCELLOR, UNIVERISTY OF
   KERALA, PALAYAM, THIRUVANANTHAPURAM.

BY SRI. M. RAJAGOPALAN NAIR, SC FOR KERALA UNIVERISTY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No. 24230 of 2007

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Dated this the 9th day of August, 2007.

J U D G M E N T

Petitioners had retired from the service of the University of Kerala while they were working as Assistant Editor, Malayalam Lexicon. While petitioner No.1 ended his career on March 31, 1986, petitioner No.2 superannuated on August 31, 1995. Grievance of the petitioners is that they have been denied the benefit of UGC scale while some others holding the same post had been granted such benefits. Petitioners cite the case of Sri.R.Chitraja Kumar who reportedly got the above benefits, to contend for the position that it has resulted in hostile discrimination warranting interference by this Court. Various other contentions have also been raised by the petitioners in support of their plea that they are entitled to get the benefit of UGC scale since they were similarly placed as Sri.Chitrajakumar. While conceding that academic status was denied by the Syndicate to employees like the petitioners working in the Malayalam Lexicon Department, it is contended by the petitioners that the above issue ought to have been discussed in the Academic Council at that time and the Council ought to have recommended conferment of academic status to such employees.

2. Having considered the various averments made by the petitioners in the writ petition and having heard the learned counsel, I have no hesitation to hold that the contentions raised by the petitioners are totally misconceived and untenable. It may be true

that the University had sanctioned UGC scale of pay to the Editor, Asst.Editor and Sub Editor in the Department of Malayalam Lexicon in the year 2005 as could be seen from Ext.P3. It may also be true that Sri.Chitraja Kumar who was a Sub Editor had got the above benefit. But petitioners who had retired in 1986 and 1995 respectively cannot be heard to say that the clock should be put back and they also have to be paid similar benefit. There is no merit in any of the contentions raised by the petitioners.

Writ Petition fails and it is accordingly dismissed in limine.

A.K. Basheer
Judge.

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